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ORIGINAL

ORDINANCE NO. 2216

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, RELATING TO IMPACT FEES, AMENDING SUBSECTION (1) OF THE DEFINITION OF "IMPACT FEE -FIRE AND PARK, RECREATION, OPEN SPACE AND TRAILS - LAND USES" IN SECTION 20A.20.090 OF THE REDMOND MUNICIPAL CODE AND COMMUNITY DEVELOPMENT GUIDE IN ORDER TO INCLUDE STANDARD INDUSTRIAL CLASSIFICATION (SIC) MAJOR GROUPS 40 THROUGH 49 AS MANUFACTURING USES WHEN CALCULATING FIRE AND PARK IMPACT FEES; AMENDING SUBSECTION 20D.60.10-040(1)(g) IN ORDER TO CLARIFY THE IMPACT FEE EXEMPTION FOR CITY FACILITIES TO INCLUDE FACILITIES OWNED OR OPERATED BY THE CITY: PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, there was an oversight in the drafting of the City's impact fee regulations which resulted in certain transportation and public utility uses being excluded from the manufacturing uses classification for purposes of imposing park and fire impact fees, and

WHEREAS, in order to correct the oversight, the City staff has recommended that the definition of "Impact Fee - Fire and Park, Recreation, Open Space and Trails - Land Uses" in Section 20A.20.090 of the Redmond Municipal Code and Community Development Guide be amended in order to include Standard Industrial Classification (SIC) Major Groups 40 through 49 as manufacturing uses when calculating fire and park impact fees, and

WHEREAS, the City staff has also recommended that Subsection 20D.60.10-040(1)(g) of the Redmond Municipal Code and Community Development Guide be clarified to state that the impact fee exemption for City facilities includes both facilities owned by the City and facilities operated by the City, and

WHEREAS, the Planning Commission held a public hearing on the proposed amendments which commenced on February 25, 2004 and was continued and concluded on March 10, 2004, at the end of which the Planning Commission voted unanimously to recommend the amendments as provided in this ordinance, now, therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Transportation and Public Utility Uses as Manufacturing Uses.

Subsection (1) of the definition of "Impact Fee - Fire and Park, Recreation, Open Space and Trails - Land Uses" in Section 20A.20.090 of the Redmond Municipal code and community Development Guide is hereby amended to read as follows:

(1) Manufacturing Uses. Land or structures that will have manufacturing facilities for firms or uses which have Standard Industrial Classifications (SIC) of Major Group 20 through Major Group 39, SIC Major Group 40 through Major Group 49, SIC Major Group 15 through Major Group 17, SIC Major Groups 50 and 51 and warehouses.

Section 2. Exemption for City Facilities. Subsection 20D.60.10-040(1)(g) of the Redmond Municipal Code and Community Development Guide is hereby amended to read as follows:

(g) Developments owned and/or operated by the City of Redmond.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance or the code amendments adopted hereby should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause or phrase of this ordinance or the code amendments adopted hereby.

Effective Date. This ordinance, being an administrative action, is Section 4. not subject to referendum, and shall take effect and be in full force five-days after its passage and publication of a summary as provided by law.

APPROVED:

ATTEST/AUTHENTICATED:

muce Matter CITY CLERK BONNIE MATTSON

APPROVED AS TO FORM:

CITY ATTORNEY JAMES E. HANEY

FILED WITH THE CITY CLERK: PASSED BY THE CITY COUNCIL:

PUBLISHED:

EFFECTIVE DATE:

ORDINANCE NO. 2216 May 26, 2004

June 1, 2004

June 7, 2004 June 12, 2004